

SENATE BILL 3056
By Cohen

AN ACT to amend Tennessee Code Annotated, Title 8, Chapter 36, Part 7, relative to retirement benefits.

WHEREAS, the state of Tennessee is currently experiencing a significant shortfall between available revenues and expenditures recommended by the governor; and

WHEREAS, one of the areas most impacted is education, especially higher education; and

WHEREAS, numerous presentations by higher education officials have stressed a perceived decline in the relative position of Tennessee's institutions of higher education; and

WHEREAS, a recurring theme to these presentations has been the non-competitiveness of faculty salaries and benefits, relative to states which surround Tennessee; and

WHEREAS, in these circumstances, it seems imprudent to expend higher education funds on additional, unearned, benefits for retiring persons; now, therefore,

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 8, Chapter 36, Part 7, is amended by adding the following new section:

Section 8-36-714. No person shall be awarded any enhanced or additional pension or other retirement benefits which are not in accordance with general law and otherwise available to other members of the retirement class or group in which such

person is situated. No board or other entity shall have any authority to take any action to contravene the general retirement laws or to manipulate a person's current compensation or benefit package so as to artificially enhance or boost such person's retirement benefits. Any such actions previously taken shall be void and any benefits received accordingly shall be subject to refund in accordance with the provisions of Section 8-36-116.

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it.